

JUL 13 2005

FEDERAL ELECTION COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

2005 JUL 13 P 3:10

In the Matter of)
Mike Crotts for Congress Committee, Inc., and)
Vicki Gibbs, in her official capacity as treasurer)
Mike D. Crotts)

MUR 5623

SENSITIVE

GENERAL COUNSEL'S REPORT #3

I. ACTION RECOMMENDED

Accept the attached conciliation agreement with Mike Crotts for Congress, and Vicki Gibbs, in her official capacity as treasurer, ("the Committee") and Mike D. Crotts (collectively, "the Respondents") and close the file.

II. BACKGROUND

On November 30, 2004, the Commission found reason to believe that the Respondents violated provisions of Federal Election Campaign Act of 1971, as amended, which implement the so-called "millionaire's amendment" portion of BCRA. Respondents failed to timely file the 24 hour notification required to make Mr. Crotts' opponents aware of their potential eligibility for higher contribution limits after the candidate made expenditures from personal funds in excess of \$350,000.¹ See 2 U.S.C. § 441a-1(b)(1). The Commission also authorized conciliation. See First General Counsel's Report, dated November 17, 2004.

¹ Mike Crotts, a candidate in the primary for a House seat in Georgia's 8th District, used personal funds to make a \$400,000 loan to the Committee on March 31, 2004, but did not file an FEC Form 10, Notification of Expenditures from Personal Funds within 24 hours of the threshold expenditure. Because Mr. Crotts had made loans to his Committee of \$20,000 on February 12, 2004 and \$16,500 on March 26, 2004, the Form 10 should have disclosed \$436,500 in activity.

1

2

3

4

5

6 **III. DISCUSSION**

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

282

283

284

285

286

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310

311

312

313

314

315

316

317

318

319

320

321

322

323

324

325

326

327

328

329

330

331

332

333

334

335

336

337

338

339

340

341

342

343

344

345

346

347

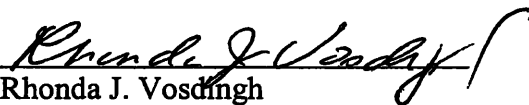
Based on the foregoing, we recommend the Commission accept the attached
Conciliation Agreement and close the file in this matter.

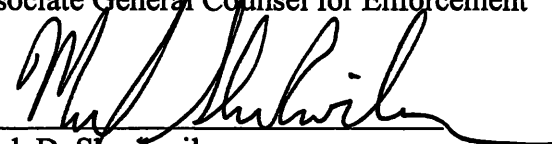
IV. RECOMMENDATIONS

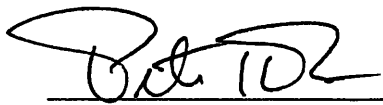
1. Accept the attached conciliation counteroffer with Mike D. Crotts and Mike Crotts for Congress Committee, Inc. and Vicki Gibbs, in her official capacity as treasurer
2. Approve the appropriate letter; and
3. Close the File.

Lawrence H. Norton
General Counsel

7/13/05
Date

BY: 
Rhonda J. Vosdingh
Associate General Counsel for Enforcement


Mark D. Shonkwiler
Assistant General Counsel


Peter G. Blumberg
Attorney

Attachment:

1. Proposed Conciliation Agreement